

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRENT T. STARR,)	
)	CASE NO. C14-0405-RAJ-MAT
Petitioner,)	
)	
v.)	ORDER DENYING PETITIONER'S
)	MOTION FOR APPOINTMENT OF
MIKE OBENLAND,)	COUNSEL AND GRANTING
)	MOTION FOR EXTENSION OF TIME
Respondent.)	
_____)	

This is a federal habeas action filed under 28 U.S.C. § 2254. This matter comes before the Court at the present time on petitioner's motions for appointment of counsel and for an extension of time to file a response to respondent's answer. Respondent has filed no response to either motion. The Court, having reviewed petitioner's motions, and the balance of the record, hereby ORDERS as follows:

(1) Petitioner's motion for appointment of counsel (Dkt. 16) is DENIED. There is no right to have counsel appointed in cases brought under 28 U.S.C. § 2254 unless an evidentiary hearing is required. *See Terravona v. Kincheloe*, 852 F.2d 424, 429 (9th Cir. 1988); *Brown v. Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); and Rule 8(c) of the Rules

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01 Governing Section 2254 Cases in the United States District Courts. The Court may exercise
02 its discretion to appoint counsel for a financially eligible individual where the "interests of
03 justice so require." 18 U.S.C. § 3006A. It does not appear at this juncture that an evidentiary
04 hearing will be required in this matter and petitioner has not demonstrated that the interests of
05 justice are best served by appointment of counsel at this time.

06 (2) Petitioner's motion for extension of time (Dkt. 17) is GRANTED. Petitioner is
07 directed to file and serve any response to respondent's answer not later than *September 29,*
08 *2014.*

09 (3) This matter is RE-NOTED on the Court's calendar for consideration on *October*
10 *3, 2014.*

11 (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for
12 respondent, and to the Honorable Richard A. Jones.

13 DATED this 30th day of July, 2014.

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16 Mary Alice Theiler
17 Chief United States Magistrate Judge
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